

P A T E N T

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Gust H. Bardy et al. Confirmation No.: 2346  
Serial No.: 10/662,612 Examiner: Kristin Droesch Mullen  
Filing Date: September 15, 2003 Group Art Unit: 3766  
Docket No.: 1201.1101102 Customer No.: 21691  
For: UNITARY SUBCUTANEOUS ONLY IMPLANTABLE CARDIOVERTER-  
DEFIBRILLATOR AND OPTIONAL PACER

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING**  
**REJECTION OVER A PRIOR PATENT (37 C.F.R. § 1.321(c))**

**CERTIFICATE FOR ELECTRONIC TRANSMISSION:**

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 2nd day of May 2007.

By Kathleen L. Boekley  
Kathleen L. Boekley

Dear Sir:

The owner, Cameron Health, Inc., having full interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,647,292. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as “the term of the prior patent is presently shortened by any terminal disclaimer,” in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

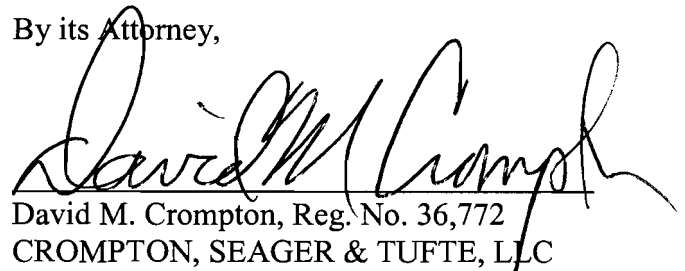
Applicants authorize the terminal disclaimer fee of \$65 to be charged to Deposit Account No. 50-0413.

Respectfully submitted,

CAMERON HEALTH, INC.

By its Attorney,

Date: 5/2/07

A handwritten signature in black ink, appearing to read "David M. Crompton", is written over a horizontal line.

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